IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Travis J. Parry   **GROUP ART UNIT:** 2617

SERIAL NO.:   09/802,665   **EXAMINER:** Phan, Huy Q.

FILED: 03/09/2001

SUBJECT: METHODS AND SYSTEMS FOR CONTROLLING MULTIPLE
          COMPUTING DEVICES

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The Appellants/Applicants filed an appeal brief on August 29, 2006. The Examiner mailed an Answer addressing the appeal brief on October 17, 2006. In the following remarks, the Appellants/Applicants respond to the Examiner's comments and arguments.

APPELLANTS'/APPLICANTS' REPLY BRIEF

Grounds for Rejection

In the Appeal Brief, the grounds for rejection to be reviewed were set out as follows:

A.   Claims 1-23 and 25 were rejected under 35 U.S.C. §103 as being unpatentable over USPN 6,671,756 issued to Thomas in view of USPN 6,131,130 issued to Van Ryzin

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ARGUMENT.

Claim 1 is directed to a switching device that includes the following combination of elements:

1. a transmitter and a receiver operable to provide wireless communication between the switching device and a selected one of a plurality of available computing devices and between the switching device and a peripheral device;
2. a computer readable medium having instructions for:
    a. maintaining a list of the available computing devices;
    b. receiving a user communication selecting from among the list of available computing devices; and
    c. utilizing the transmitter and the receiver to establish a first wireless link between the peripheral device and the switching device and a second wireless link between the switching device and a computing device selected from the list of available computing devices;
3. a processor operable to execute the instructions.

The Appellant maintains that the combination of Thomas and Van Ryzin do not teach or suggest a switching device that includes a transmitter and receiver pair having the capabilities recited by the first element of Claim 1.   Addressing this issue, the Examiner admits that Thomas does not teach or suggest a transmitter and receiver operable to

provide wireless communication between the switching device and a selected one of a plurality of available computing devices. To remedy this deficiency, the Examiner relies on Van Ryzin. In particular, the Examiner equates Van Ryzin's computer (2) with the switch recited in Claim 1 making the following argument:

> Since, Van Ryzin teaches the system that allows the user to use the wireless peripherals (fig. 2, 4) to operate the wireless computer (fig. 2, 2) for selecting and controlling the selected wireless audio/video devices from any where in the house (cols. 2 and 3); therefore Van Ryzin discloses the wireless computer as a switching device which contains transmitter/receiver for wirelessly communicate with user's selected devices. It is asserted the teaching of Van Ryzin in the switching device of Thomas in order for using the transmitter/receiver not only provide wireless connection between the switch and the user workstation but also wireless connection between the switch and the computers.

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Examiner's Answer, pages 16 and 17. It appears that the Examiner is arguing that Van Ryzin teaches a switch in the form of a wireless computer that includes a transmitter and receiver transmitter that provide wireless communication between the switch and a selected device. This argument misconstrues Van Ryzin's teachings.

Van Ryzin teaches a computer (2) that based on instructions received from a wired or wireless keyboard (4 or 8) is capable of selecting from among various wired audio and video inputs using switches (18a and 18b). With the inputs selected, the switches allow the wired input signals to be transmitted via a transmitter (20) to wireless speakers (12) and wireless monitor (10). Van Ryzin, Figure 3 and column 3, line 45 through column 5, line 13.

At best, Van Ryzin teaches a computer (2) that enables the selection of an input signal by switches (18a and 18b) to be communicated to a transmitter (20) to be broadcast indiscriminately to wireless speakers (12) and wireless monitor (10). There is no selection between or among wireless speakers (12) and wireless monitor (10). Furthermore, Van Ryzin only describes a transmitter (20) and mentions nothing of the computer (2) including a receiver that enables the computer (2) to wirelessly communicate with wireless speakers (12) and wireless monitor (10). As such Van Ryzin does not teach or suggest a transmitter and receiver that provide wireless communication between a switching device and a selected one of a plurality of available devices.

Van Ryzin simply teaches a computer that is capable of wirelessly indiscriminately

broadcasting a selected wired signal. Thus, even when Thomas is modified to include the teachings of Van Ryzin, that combination of references fails to teach or suggest a switching device that includes a transmitter and a receiver operable to provide wireless communication between the switching device and a selected one of a plurality of available computing devices and between the switching device and a peripheral device. That combination also fails to teach or suggest utilizing the transmitter and the receiver to establish second wireless link between the switching device and a computing device selected from the list of available computing devices.

For at least these reasons Claim 1 is patentable over Thomas and Van Ryzin as are Claims 2-9 which depend from Claim 1.

Claim 10 is directed to a computing system and recites the following combination of elements:

1. multiple computing devices, each of which being configured for wireless communication;
2. one or more peripheral devices configured to wirelessly receive and/or transmit data; and
3. a switching device configured to:
   a. maintain a list of available computing devices from among the multiple computing devices;
   b. receive a user communication selecting from among the list of available computing devices; and
   c. establish a first wireless link between the peripheral device and the switching device and a second wireless link between the switching device and a computing device selected from the list of available computing devices enabling wireless user interaction.

The Examiner admits that Thomas fails to teach or suggest a switching device that is configured to establish a second wireless link between the switching device and a computing device selected from a list of available computing devices. To remedy this

deficiency, the Examiner proposes modifying the teachings of Thomas with the teachings of Van Ryzin. In particular, the Examiner equates Van Ryzin's computer (2) with the switching device recited in Claim 10. At page 16 of the Answer, the Examiner states the following:

> However, Van Ryzin teaches that the wireless link can be implemented with personal computer (see fig. 1 and col. 2, lines 8-22). Since, Thomas and Van Ryzin (col. 4, lines 20-30 and col. 6) are related to the method of using a switch to operate the selected device; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the transmitter/receiver of Thomas not only provide wireless connection between the switch and the user workstation but also wireless connection between the switch and the computers as taught by Van Ryzin for purpose of offering advantageously the wireless technology to Thomas's system in order to avoid "the entire house be hardwired which is both tedious work and expensive to implement", see (col. 1, lines 24-27).

Examiner's Answer, pages 16 and 17.

The Examiner's assertion that Van Ryzin "teaches that the wireless link can be implemented with personal computer" is not relevant and is somewhat misleading. Claim 10 recites that a switching device configured to establish a wireless link between the switching device and a computing device selected from among a list of available computing devices. As noted above, Van Ryzin teaches a computer (2) that enables the selection of an input signal by switches (18a and 18b) to be communicated to a transmitter (20) to be broadcast indiscriminately to wireless speakers (12) and wireless monitor (10). There is no wireless communication between a switches (18a and 18b) and computer (2). There is only an indiscriminate broadcast by the computer (2) to the wireless speakers (12) and the wireless monitor (10).

Van Ryzin simply teaches a computer that is capable of wirelessly indiscriminately broadcasting a selected wired signal. Thus, even when Thomas is modified to include the teachings of Van Ryzin, that combination of references fails to teach or suggest a switching device configured to "establish a first wireless link between the peripheral device and the switching device and a second wireless link between the switching device and a computing device selected from the list of available computing devices enabling wireless user interaction."

For at least these reasons, Claim 10 is patentable over the cited references as are Claims 11-15 which depend from Claim 10.

Claim 16 is directed to a computing system and recites the following:

1. multiple computing devices, each of which being configured for wireless communication;
2. one or more peripheral devices configured to wirelessly receive and/or transmit data and linkable with the computing devices for data exchange; and
3. a switching device configured to
   a. wirelessly receive and transmit data from and to the peripherals and the computing devices;
   b. maintain a list of available computing devices from among the multiple computing devices;
   c. receive a user communication selecting from among the list of available computing devices; and
   d. establish a first wireless link between the one or more peripheral devices and the switching device and a second wireless link between the switching device and a computing device selected from the list of available computing devices enabling user interaction with the computing devices.

As with Claim 10, Thomas and Van Ryzin fail to teach or suggest a switching device configured to establish a first wireless link between the peripheral device and the switching device and a second wireless link between the switching device and a computing device selected from the list of available computing devices enabling wireless user interaction.

For at least the same reasons that Claim 10 is patentable over those references, so are Claim 16 and Claims 17-20 which depend from Claim 16.

Claim 21 is directed to a method of controlling multiple computing devices utilizing a switching device and recites the following acts:

1. establishing a first wireless link with a peripheral device;
2. maintaining a list of available computing devices;
3. receiving data from a user, the data being associated with a user selection of an available computing device from the list;
4. using the received data to select a computing device;
5. establishing a second wireless link with the selected computing device; and
6. permitting the user to interact with the selected computing device via said first and second wireless links.

As made clear above, Thomas and Van Ryzin fail to teach device and system components capable of establishing a second wireless link with a **_selected_** computing device so that a user is permitted to interact with the selected computing device via first and second wireless links. Consequently, those references also fail to teach or suggest a method in which a second wireless link is established with a selected computing device so that a user is permitted to interact with the selected computing device via first and second wireless links.

For at least these reasons, Claim 21 is patentable over Thomas and Van Ryzin as are Claims 22-23 which depend from Claim 21.

Claim 25 is directed to one or more readable media having instructions thereon which, when executed by a switching device, cause the switching device to:

1. establish a first wireless link with a peripheral device;
2. maintain a list of available computing devices;
3. wirelessly receive data from a user, the data being associated with a user selection from the list of available computing devices;
4. use the received data to select a computing device;

5. establish a second wireless link with the selected computing device; and

6. permit the user to interact with said one computing device via said first and second wireless links.

As made clear above, Thomas and Van Ryzin fail to teach device and system components capable of establishing a second wireless link with a selected computing device so that a user is permitted to interact with the selected computing device via first and second wireless links. Consequently, those references also fail to teach or suggest instructions for causing a switching device to establish a second wireless link with the selected computing device and permit a user to interact with the selected computing device via first and second wireless links.

For at least these reasons, Claim 25 is patentable over Thomas and Van Ryzin.

For at least the reasons set forth above, the rejections of Claims 1-23 and 25 are improper as the Examiner has failed to establish a prima facie case of obviousness under 35 USC §103.

Respectfully submitted,
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December 18, 2006

APPENDIX OF CLAIMS INVOLVED IN THE APPEAL

1. (previously presented) A switching device comprising:

a transmitter and a receiver operable to provide wireless communication between the switching device and a selected one of a plurality of available computing devices and between the switching device and a peripheral device;

a computer readable medium having instructions for:

maintaining a list of the available computing devices;

receiving a user communication selecting from among the list of available computing devices; and

utilizing the transmitter and the receiver to establish a first wireless link between the peripheral device and the switching device and a second wireless link between the switching device and a computing device selected from the list of available computing devices;

a processor operable to execute the instructions.

2. (previously presented) The switching device of claim 1, wherein the instructions for utilizing the transmitter and the receiver include instructions for utilizing the transmitter and receiver to establish the first wireless link between the switching device and a plurality of peripheral devices that can be used by a user to interact with the selected computing device.

3. (original) The switching device of claim 2, wherein said at least one peripheral device comprises a keyboard.

4. (original) The switching device of claim 2, wherein said at least one peripheral device comprises a mouse.

5. (original) The switching device of claim 2, wherein said at least one peripheral device comprises a display.

6. (original) The switching device of claim 2, wherein said at least one peripheral device comprises one or more of a keyboard, a mouse and a display.

7. (original) The switching device of claim 1, wherein the transmitter and receiver are configured to establish a wireless link via BlueTooth.

8. (original) The switching device of claim 1, wherein the transmitter and receiver comprise an integrated unit.

9. (previously presented) The switching device of claim 1 further comprising a storage device to maintain the list of available computing devices.

10. (previously presented) A computing system comprising:
multiple computing devices, each of which being configured for wireless communication;
one or more peripheral devices configured to wirelessly receive and/or transmit data; and
a switching device configured to:
maintain a list of available computing devices from among the multiple computing devices;
receive a user communication selecting from among the list of available computing devices; and
establish a first wireless link between the peripheral device and the switching device and a second wireless link between the switching device and a computing device selected from the list of available computing devices enabling wireless user interaction.

11. (original) The computing system of claim 10, wherein the computing devices comprise desktop computers.

12. (original) The computing system of claim 10, wherein at least one of the peripheral devices comprises a keyboard.

13. (original) The computing system of claim 10, wherein at least one of the peripheral devices comprises a mouse.

14. (original) The computing system of claim 10, wherein at least one of the peripheral devices comprises a display.

15. (previously presented) The computing system of claim 10, wherein at least one of the peripheral devices comprises one or more of a keyboard, mouse or display.

16. (previously presented) A computing system comprising:

multiple computing devices, each of which being configured for wireless communication;

one or more peripheral devices configured to wirelessly receive and/or transmit data and linkable with the computing devices for data exchange; and

a switching device configured to

wirelessly receive and transmit data from and to the peripherals and the computing devices;

maintain a list of available computing devices from among the multiple computing devices;

receive a user communication selecting from among the list of available computing devices; and

establish a first wireless link between the one or more peripheral devices and the switching device and a second wireless link between the switching device and a computing device selected from the list of available computing devices enabling user interaction with the computing devices.

17. (original) The computing device of claim 16, wherein the computing devices comprise desktop computers.

18. (original) The computing device of claim 16, wherein at least one of the peripheral devices comprises a keyboard.

19. (original) The computing device of claim 16, wherein at least one of the peripheral devices comprises a mouse.

20. (original) The computing device of claim 16, wherein at least one of the peripheral devices comprises a display.

21. (previously presented) A method of controlling multiple computing devices utilizing a switching device, the method comprising:
    establishing a first wireless link with a peripheral device;
    maintaining a list of available computing devices;
    receiving data from a user, the data being associated with a user selection of an available computing device from the list;
    using the received data to select a computing device;
    establishing a second wireless link with the selected computing device; and
    permitting the user to interact with the selected computing device via said first and second wireless links.

22. (original) The method of claim 21, wherein said receiving comprises wirelessly receiving said data from the user.

23. (preciously presented) The method of claim 21, wherein said permitting comprises wirelessly receiving data from the peripheral device, the peripheral device comprising one or more of: a keyboard, a mouse and a display, and wirelessly transmitting the data to the selected computing device.

24. (cancelled)

25. (previously presented) One or more readable media having instructions thereon which, when executed by a switching device, cause the switching device to:

establish a first wireless link with a peripheral device;

maintain a list of available computing devices;

wirelessly receive data from a user, the data being associated with a user selection from the list of available computing devices;

use the received data to select a computing device;

establish a second wireless link with the selected computing device; and

permit the user to interact with said one computing device via said first and second wireless links.